

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF NEW YORK

In Re:

GATEWAY SPORTS & POOLS, INC.,

Debtor

**AFFIRMATION IN
SUPPORT OF MOTION
(sale of personal property)**

Case No.: 25-10053

Chapter 7

M&T Bank, by its attorneys, Melvin & Melvin, PLLC, as and for its Affirmation in Support of the Trustee's motion to sell personal property, does hereby allege and show as follows:

1. M&T Bank holds a first priority perfected security interest in all of Debtor's personal property including its gym equipment, office equipment and furniture (the "**Personal Property**").

2. As of January 31, 2025, the indebtedness owed by Debtor to M&T Bank that was secured by the Personal Property was \$66,814.70. Copies of the Note which evidences said debt, the security agreement which created the security interest, M&T Bank's pay-off letter setting forth the balance owed, and the UCC-1 Financing Statements filed by M&T Bank concerning same, are all annexed hereto as Exhibit A.

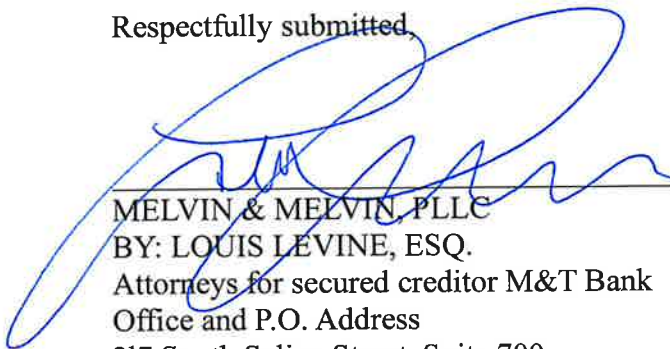
3. M&T Bank hereby consents to the Trustee's motion to sell the Personal Property to the County of Albany for a purchase price of \$25,000.00, subject to a carve-out in favor of the SBA in the amount of \$2,350.00, and a carve-out in favor of the Estate in the amount of \$1,500.00, upon condition that the entire balance of the sales proceeds is paid in full to M&T Bank at the closing of said sale.

WHEREFORE, M&T Bank requests an Order granting the Trustee's motion to sell the Debtor's Personal Property to the County of Albany for a purchase price of \$25,000.00, subject to

a carve-out in favor of the SBA in the amount of \$2,350.00, and a carve-out in favor of the Estate in the amount of \$1,500.00, upon condition that the entire balance of the sales proceeds is paid in full to M&T Bank at the closing of said sale, and furthermore granting to M&T Bank such other and further relief which as to the Court may seem just and proper.

Date: March 18, 2025

Respectfully submitted,

A large, stylized handwritten signature in blue ink, likely belonging to Louis Levine, is written over a horizontal line. The signature is fluid and cursive, with a large loop at the top and a long, sweeping tail.

MELVIN & MELVIN, PLLC

BY: LOUIS LEVINE, ESQ.

Attorneys for secured creditor M&T Bank

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